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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/108,715      07/01/98      NAGATA      K      05058/72201

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LM31/0706

EXAMINER

KIANNI, K

ART UNIT

PAPER NUMBER

2724

DATE MAILED:

07/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/108,715

Applicant(s)

NAGATA, KOICHI

Examiner

Kevin C Kianni

Art Unit

2724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II  
PRIMARY EXAMINER

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Nosaki et al. (US 5673373).

Regarding claim 1, Nosaki teaches a facsimile apparatus provided with a confidential reception function (see fig. 3, items 21-23; col. 3, lines 42-57 and col. 4, line 57), comprising: a memory 46 which stores received confidential data (see fig. 3, item 46 and 61a; col. 3, lines 36-50); a notification data transmission means 70 for transmitting notification data indicating that the confidential image data has not been retrieved (see fig. 11; col. 8, lines 22-31; and col. 6, lines 11-24), in the event that the confidential image data stored in the memory area has not been retrieved in a predetermined time (see fig. 11; and col. 1, lines 57-63; and col. 8, lines 22-31); and a deletion means 70 for deleting the confidential image data from the memory in response to the completion of transmission of said notification data by the notification data transmission means (see fig. 11, last item; and col. 7, lines 64-67; also fig. 3, element 70; and col. 6, lines 11-24).

Regarding claim 2, Nosaki further teaches wherein said notification data includes at least a part of the confidential image data (see fig. 11, first item; and col. 7, lines 64-67).

Regarding claim 3, Nosaki further teaches wherein said notification data includes a time information of the confidential image data transmission (see col. 12, lines 17-19).

Regarding claim 4, Nosaki further teaches wherein said notification data includes an addressee information of the confidential image (see fig. 11 and col. 8, lines 22-37; and col. 7, lines 46-50; see also col. 5, lines 43-52).

Regarding claim 5, Nosaki further teaches wherein said notification data includes an information providing notification that the confidential image was erased (see fig. 11, last item and col. 6, lines 14-34; see also col. 8, lines 22-31).

Regarding claim 6, Nosaki further teaches a retransmission means for re-transmitting the notification data when the transmission of the notification data is not completed successfully (see fig. 11, item inform user; col. 8, lines col. 8, lines 22-31).

Regarding claim 7, Nosaki further teaches a prohibiting means for prohibiting said deletion of the confidential image when the transmission of the notification data is

not completed after predetermined times of said retransmission (see fig. 19 and 25; and col. 10, lines 16-43).

Regarding claim 8, Nosaki further teaches a identification means for identifying transmitter telephone number based on transmitted data (see fig. 15; and col. 3, lines 51-54; and col. 9, lines 51-60); wherein said memory stores the transmitter telephone number in connection with the confidential image (see col. 5, lines 43-51).

Regarding claim 9, Nosaki further teaches wherein said notification data transmission means transmits the notification data using the identified telephone number by the identification means (see fig. 11 and col. 3, lines 51-54; and col. 8, lines 22-31; and col. 7, lines 46-50; see also col. 5, lines 43-52).

Regarding claim 10, Nosaki further teaches wherein said memory stores the time of receipt of the confidential image in, connection with the confidential image (see col. 12, lines 17-19).

Regarding claim 11, Nosaki teaches a facsimile apparatus provided with a confidential reception function (see fig. 3, items 21-23; col. 3, lines 42-57 and col. 4, line 57), comprising: a memory which stores received confidential image data (see fig. 3, item 46 and 61a; col. 3, lines 36-50); an output means for outputting the stored confidential image data in response to input of a password by an operator (see fig. 3,

item 35, col. 5, lines 32-37 and col. 6, lines 9-24); a determination means for determining whether or not the confidential image data has been output by the output means within a predetermined time after its reception (see fig. 11, item inform user; see col. 1, lines 57-63; and col. 8, lines 22-31); a notification data transmission means for transmitting notification data indicating that confidential image data has not been output (see col. 6, lines 8-24), in the event that the determination means has determined that output of the confidential image data has not been performed (see fig. 11, item inform user; col. 8, lines 22-31); a detection means for detecting proper completion of transmission of the notification data (see fig. 11, last item; and col. 7, lines 64-67); and a deletion means for deleting the confidential image data from the memory in response to detection by the detection means (see fig. 11, last item; and col. 7, lines 64-67).

Regarding claim 12, Nosaki further teaches wherein said notification data includes at least a part of the confidential image data (see fig. 11, first item; and col. 7, lines 64-67).

Regarding claim 13, Nosaki teaches a managing method for a confidential received image in a facsimile apparatus provided with a confidential reception function (see fig. 3, items 21-23; col. 3, lines 42-57 and col. 4, line 57), comprising the steps of: receiving confidential image data and storing the image data in a memory (see fig. 3, item 46 and 61a; col. 3, lines 36-50); monitoring whether the stored confidential image

data has been output within a predetermined time after the reception (see fig. 11, item inform user; see col. 1, lines 57-63; and col. 8, lines col. 8, lines 22-31); transmitting notification data indicating that output has not occurred, in the event that output has not occurred within the predetermined time (see fig. 11, item inform user; col. 8, lines col. 8, lines 22-31); detecting proper completion of transmission of the notification data (see col. 6, lines 14-23); and deleting the confidential image data from the memory in response to the detection (see fig. 11, last item; and col. 7, lines 64-67).

Regarding claim 14, Nosaki further teaches wherein said notification data includes at least a part of the confidential image data (see fig. 11, first item; and col. 7, lines 64-67).

### **3. Citation of Relevant Prior Art**

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In accordance with MPEP 707.05 the following references are pertinent in rejection of this application since they provide substantially the same information disclosure as this patent does. These references are:

Oba et al. 6072599

Motohama 5168376

Kikuchi et al. 5552901

These references are cited herein to show the relevance of the methods taught within these reference for color calibration method as disclosed by applicant.

**6. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Cyrus Kianni whose telephone number is (703) 308-1216. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore, can be reached at (703) 308-7452.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**or:**

(703) 308-5397, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-3900.

Kaveh Cyrus Kianni  
Patent Examiner  
Group Art Unit 2723  
July 2, 2000



JEROME GRANT II  
PRIMARY EXAMINER

